

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

GEORGE DERUYTER AND SONS
DAIRY, L.L.C,

Plaintiffs,

v.

JEREMY VAN WYHE and JANE
DOE VAN WYHE, husband and
wife and their marital Community
thereof; WAYNE VAN WYHE and
JANE DOE VAN WYHE, husband
and wife and the marital community
thereof,

Defendants.

NO. CV-10-3014-RHW

**ORDER GRANTING MOTION
FOR ENTRY OF DEFAULT
JUDGMENT**

Before the Court is Plaintiffs' Motion for Entry of Default Judgment (Ct. Rec. 8). The motion was heard without oral argument.

On June 22, 2010, upon Plaintiffs' motion, the Clerk of Court entered default judgment against Defendants for failing to appear. Plaintiffs now move the Court to enter default judgment in favor of Plaintiffs and against Defendants. Defendants having failed to appear, the Court finds that good cause exists to grant the motion. *See Wilson v. Moore & Associates, Inc.*, 564 F.2d 366, 368-69 (1977) ("No party in default is entitled to 55(b)(2) notice unless he has 'appeared' in the action.").

Accordingly, **IT IS HEREBY ORDERED:**

1. Plaintiffs' Motion for Entry of Default Judgment (Ct. Rec. 8) is

1 **GRANTED.**

2 2. The District Court Executive is directed to enter judgment in favor of
3 Plaintiffs and against Defendants, in the amount of \$82,125.00 in principal, and
4 \$2,839.50 (taxable costs and attorney's fees); pre-judgment interest at the rate of
5 twelve percent (12%) per annum on the principal amount from August 21, 2009 to
6 date of judgment; post-judgment interest at the rate of twelve percent (12%) per
7 annum from the date of judgment until said judgment is satisfied in full; attorney's
8 fees and costs shall bear interest at the rate of 12% annum from date of judgment.

9 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
10 Order and forward copies to counsel.

11 **DATED** this 16th day of September, 2010.

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13 *s/Robert H. Whaley*

14 ROBERT H. WHALEY
15 United States District Judge
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